

Department of
Human Resource Management



2004 Legislative Update



Health Insurance

- Makes part-time employees eligible for state health insurance plan
 - Requires part-time employees to pay entire premium
 - Defines part-time employee
 - salaried
 - all branches of government
 - working 20 hrs to less than 32 hrs per week
- Continues the requirement for coverage for biologically-based mental illness
 - Removes sunset provision from code



Long Term Care Insurance

- Makes the state LTC insurance available to current and former employees with 5 or more years of creditable service with *any* VRS retirement plan
 - Not required to be currently employed by a VRS participating employer
 - Not required to be a retiree
 - If local government employees, local officers, and teachers are eligible for other LTC program, then not eligible for this program



Workers' Compensation

- Allows state employee Workers' Compensation access to tax records
 - Identifies earnings from other employment while on Workers' Compensation benefits
 - Modify payments as appropriate
 - Recover overpayments



Alternative Work Schedule~Telecommuting

- Requires each agency to establish a policy on alternate work schedules and telecommuting
- Requires identification of employees eligible to participate
 - Must be entered in PMIS
- Requires each agency to set annual percentage targets of those eligible to participate
 - Goal of not less than 25% by July 1, 2009



Jury Duty

- Employees summoned to serve on jury duty shall NOT be required to work on the day of their service on a jury
 - Employers violating these provisions shall be guilty of a Class 3 misdemeanor
 - Effective July 1, 2005



Criminal Background Checks

- Requires separate DSP Applicant Fingerprint Database for use in criminal background checks
- Allows agencies to be advised when individuals subject to screening have a criminal offense that would disqualify them
 - Licensure
 - Certification
 - Employment
 - Volunteer service
- DSP to develop regulations



Salary Increase

- Recommends 3 % raise for state salaried employees
 - Effective November 25, 2004
- Recommends alternate increases for DSP sworn employees
- Revenues earmarked for second year raises
- Eliminates revenue contingency
- Details after budget signed



Unique ID Numbers

- Prohibits filing or creating public records containing more than the last 4 digits of any unique ID number
 - Exceptions
 - Required by law
 - Record exempt from disclosure
 - Example
 - Social Security Number
- Effective if reenacted in 2005 session



Conflict of Interests

- Must furnish a copy of the Conflict of Interests Act
 - To any person required to file a disclosure statement of personal interest
 - Within two weeks of employment, election or appointment
- Requires orientation or training programs for persons required to file disclosure statement
 - Must offer orientation courses semi-annually
 - Must maintain records of attendance
 - Specifies attendance requirements
 - May conduct courses jointly with other state agencies
 - Requires OAG review of course content



Settlement Agreements

- Prohibits confidentiality clauses in settlement agreements which limit the disclosure of the settlement amount
 - Settlement of civil action against the Commonwealth involving money damages
 - Regulatory action
 - Proposed legislation
- Exceptions
 - Imposed by a court of competent jurisdiction
 - Otherwise required by law



Competitive Government Act

- Requires examination of commercial activities performed by state employees every 2 years
 - Ensure activities are accomplished in cost-effective, efficient manner
 - If outsourcing may result in reduced cost or measurable benefit, activity must be competed
 - SOA must report on review by January 1, 2006, then every two years
 - Secretaries of Administration, Finance and Technology must update Commonwealth Competition Council list of commercial activities to provide guidance to agencies



New Secretariat

- Establishes Secretary of Agriculture and Forestry
 - Department of Forestry
 - Department of Agriculture & Consumer Services
 - Virginia Agricultural Council
 - Virginia Marine Products Board
- Authorizes agency secretarial assignment changes by Executive Order



Agency Realignment

- Authorizes merger
 - Milk Commission to VDACS
- Recommends merger
 - DMBE into DBA
 - CBLAD into DCR
 - CCC into DPB



Study

- Recommends JLARC study of aging population on demand for and cost of state services
- Recognizes that state workforce reflect aging demographic trends
- Identifies certain other state agencies to consult on study
 - Council on Aging, VDA, VDH, DSS, DMHMRSAS, VRS, DMAS, DOC, DHRM



Workforce Commission

- Bill submitted to reestablish Joint Commission on Management of the Commonwealth's Workforce
 - Did not pass
 - Referred to the Senate Committee on Finance for consideration by subcommittee during 2004 interim



Recurring Themes

- Overtime compensation
- Cost cutting caucus
- Data collection and dissemination
- State Police
- Health Benefits
- Living Wage
- Discrimination